

IN RE:

The Waterbury Zoning Map identifies the area surrounding this parcel as a High-Density

Residential Zone. Specifically, the area is comprised of multi-family housing, including apartment buildings, and is across Charles Street from St. Patrick's Church and parking lot.

Question No. 2

Page 6 states the City of Waterbury owns the abutting parcel to the west. What is the land use of this parcel?

Response

According to the City of Waterbury ("City") Assessor's records, this parcel is owned JDP Associates LLC and is part of the larger 7.25 acre parcel that extends to the west of the project site. The City of Waterbury has the right to use and occupy this parcel for park purposes by virtue of an agreement filed in Volume 760 Page 249 of the Waterbury Land Records. Currently, this approximately three acre parcel is vacant, overrun with brush and debris, and is closed to public access. WatGen representatives have had discussions with the City and will be approaching the landowner about its use of the parcel during construction for lay down space. Also, following the completion of project construction, WatGen and the City have discussed improving the parcel into a recreation area (e.g., ball field or park). The City is receptive to this proposal and is looking into how this plan can be implemented. A map showing the parcel is located in Attachment B.

Question No. 3

Does the facility need to meet any DPUC requirement for on-site fuel storage? If not, please explain. If so, please provide documentation of the DPUC's requirement and WatGen's response.

Response

WatGen is required to maintain on-site fuel storage pursuant to the Master Agreement for

Generation Projects dated May 21, 2007 between WatGen and the United Illuminating Company (*See Attachment C*). Section 2.6(g) of the Master Agreement includes requirements for storage of alternative fuel other than natural gas. The criterion requires the capability to operate at the Summer Seasonal Claimed Capacity for 40 consecutive hours.

The project is being configured to burn natural gas and Ultra-low sulfur distillate oil ("ULSD"). A 364,000 gallon ULSD fuel tank (useable volume) will be installed on the site providing adequate fuel for 40 hours of continuous full load operation. WatGen's air permit application to the Connecticut Department of Environmental Protection requested approval to burn ULSD for the design capacity equivalent to 720 hours per year.

Question No. 4

Please describe the outcome of the October 21, 2007 meeting between WatGen and the local neighborhood group? What were the group's concerns? How were these concerns addressed?

Response

The meeting organized by the Waterbury Neighborhood Council was rescheduled to November 18th. The group was mostly concerned with the location of the project in the south end of Waterbury and the visibility of the proposed stack. A copy of the *Viewshed Analysis Report* was sent to those who attended the November 18, 2007 meeting for their review.

The group also asked WatGen to make additional community outreach efforts to members of neighborhood groups who were not able to attend either the September 12th Open House or the November 18th meeting. WatGen has committed to having follow up meetings with these groups at their convenience and will work with the groups to ensure that material is communicated in both Spanish and English. WatGen is also attempting to organize a meeting

with the Hopeville Neighborhood group. The Hopeville Neighborhood is located to the north of the Baldwin Street Substation. A date for that meeting has not yet been set.

WatGen representatives also met with Mr. Vincent Horgan of H&B Realty on October 31, 2007 to discuss his concerns about the project. H&B Realty submitted a letter to the Council on October 10, 2007 concerning the WatGen project. H&B Realty owns property located at 130 Washington Avenue, portions of which are immediately east of the proposed WatGen facility. Mr. Horgan and WatGen specifically discussed noise, storm water run off, air emissions, security and health issues and WatGen provided Mr. Horgan with copies of relevant reports that were submitted as a part of the Petition. WatGen will continue to work with Mr. Horgan to address any further concerns he may have.

Question No. 5

Has the City of Waterbury submitted any written correspondence that reflects the City's views about the project? If so, please provide.

Response

WatGen understands that Waterbury Mayor Michael Jarjura will be sending a letter of support for the project to the Council.

Question No. 6

Page 2 of Tab 1 contains a table that lists Ansonia as the location of the WatGen project. Clarify this discrepancy.

Response

The referenced document is the Department of Public Utility Control's ("DPUC") May 3, 2007 Decision in Docket No. 05-07-14PH02, *DPUC Investigation of Measures to Reduce Federally Mandated Congestion Charges (Long Term Measures)* ("Decision"). Page 2 of the

Decision contains a chart listing each of the selected projects and lists “Ansonia” under the “Location” column for the Waterbury Generation Project. The Ansonia reference was erroneous as it referred to the mailing address for the then-current managing member of Waterbury Generation LLC, rather than the location of the project. As indicated in the Petition and in the DPUC’s August 22, 2007 Decision in Docket No. 07-04-24, *DPUC Review of Energy Independence Act Capacity Contracts*, (See Petition, Tab 1 (second document) at 3), the project site is located at 725 Bank Street, Waterbury, Connecticut.

Question No. 7

Where is the existing natural gas source? Has WatGen determined the route of the natural gas line? If so, provide. If not, why not?

Response

WatGen is currently negotiating the terms of the natural gas interconnection agreement with Yankee Gas. Attachment D contains a figure showing the likely route the interconnection will take from the Yankee Gas LNG facility off Railroad Hills Street to the WatGen facility site, a distance of approximately 4,700 feet.

Question No. 8

Are there any tower or pole type structures in the Metro-North ROW? If so, describe.

Response

There are no existing towers or pole type structures on the portion of the Metro-North right of way (“ROW”) proposed for the transmission line route.

Question No. 9

Describe the electric transmission structures in the existing CL&P ROW that runs east of the railway to the Baldwin Street Substation.

Response

There is one CL&P structure in the existing CL&P ROW that runs east to the Baldwin Street Substation and is a 165-foot tall steel lattice tower structure. This structure supports two 115kV transmission lines and three distribution circuits that cross over Route 8 and tie into the Baldwin Street substation. A photograph of this lattice tower is included in Attachment E.

Question No. 10

Has WatGen determined the route of the transmission line tap from the Metro-North ROW to the Baldwin Street Substation? If so, provide details.

Response

The final design of the transmission line tap is not yet complete. WatGen expects, however, that the transmission line will leave the Metro-North ROW and cross Municipal Road to the east onto property owned by the City of Waterbury, on which is located the City's Waste Water Treatment Facility. As shown on Attachment F, one transmission line tower will be installed to the west of the Metro-North ROW (Tower 1), one tower will be installed on the north side of the CL&P ROW (Tower 2) prior to the line crossing under the existing 115 kV circuits. There will be two towers (Towers 3 and 4) installed on the south side of the existing CL&P ROW on City of Waterbury property before the line crosses the Naugatuck River and South Main Street and terminates at a final tower (Tower 5) at the Baldwin Street Substation. The entire transmission line route is shown in Attachment G.

Question No. 11

What is the status of the wetland survey described on page 20 of the Petition?

Response

The wetland survey of the Metro-North ROW is scheduled to be performed on November

30, 2007. The results of the survey will be forwarded to the Council once it is complete.

Question No. 12

Page 10 describes the figure in Tab 8 as depicting the Transmission Line Route. What does the figure actually depict? The route, project site, and substation are not identified.

Response

The figure behind Tab 8 of the Petition actually depicts the Metro-North trackline and ROW and shows the footprint of the WatGen facility, the CL&P ROW (green lines running east to west at the bottom of the page) and the Baldwin Street Substation (indicated by red outline on bottom right of the figure). This is a general route overview and was not meant to specifically show the line layout and the location of the transmission towers. Attachment G is a new map that shows the project site at 725 Bank Street, the path along the Metro-North ROW, and the path along the existing CL&P ROW leading into Baldwin Street Substation, the point of interconnection.

Question No. 13

Resubmit Visibility Analysis Figure 3 using a more detailed scale. Areas beyond two miles from the site can be excluded. Depict the stack location and major roads.

Response

Attachment H contains the requested resubmittal of Figure 3 from the *Viewshed Analysis Report*.

Question No. 14

Provide an aerial photograph depicting visibility from locations within a ¼ mile radius of the exhaust stack. Estimate the number of residential parcels with site visibility within this radius.

## Response

Attachment I provides two versions of the requested aerial photograph – one with the Waterbury Zoning Districts in the area displayed and the other without the Zoning Districts displayed. Based on the Waterbury Zoning Map and a review of aerial photographs, there are approximately 80 parcels zoned residential located within ¼ mile of the exhaust stack. Based on the viewshed analysis, the stack may be visible from all of these areas except where trees, buildings or other objects or structures may block the view.




**CERTIFICATE OF SERVICE**

I hereby certify that on the 26<sup>th</sup> day of November 2007, a copy of the foregoing was  
mailed, postage prepaid, to:

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